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IN THE UNITED STATES BANKRUPTCY COURT, DISTRICT OF PUERTO RICO

IN RE: MIGUEL ANGEL MARZAN BONILLA

Bankruptcy Number:13-01252-ESL

MAYRA BELEN DIAZ LAUREANO

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: **02/20/2013**

First Meeting Date: **03/22/2013 at 11:00AM**

Days From Petition Date: **181**

341 Meeting Date: **08/20/2013 at 2:00PM**

910 Days Before Petition: **08/25/2010**

Confirmation Hearing Date: **04/19/2013 at 11:00AM**

Chapter 13 Plan Date: **08/14/2013** ☐ Amended

Plan Base:\$**900,152.00** Plan Docket # **46**

This is Debtor(s) 3 Bankruptcy petition.

This is the 3 scheduled meeting.

Payment(s) ☒ Received or ☐ Evidence shown at meeting:

Total Paid In: **\$2,800.00**

Check/MO# _____

Date: _____ Amount: \$ _____

*APPEREANCES: ☐ Telephone ☐ Video Conference

Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

Joint Debtor: ☒ Present ☐ Absent ☐ ID & Soc. OK

☒ Examined ☐ Not Examined under Oath

☒ Examined ☐ Not Examined under Oath

Attorney for Debtor(s): ☐ Not Present ☒ Present

Name of Attorney Present (Other than Attorney of Record): _____

☐ Pro-se

☒ Creditor(s) Present ☐ None

BPPR- Rivera
and Migdalia Guasp

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **JUAN O CALDERON LITHGOW***

Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$0.00** Outstanding (Through the Plan): **\$3,000.00**

*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor(s) Income is (are) ☐ Under ☒ Above Median Income

Liquidation Value: \$ 289,146

Commitment Period is ☐ 36 months ☒ 60 months §1325(b)(1)(B)

Projected Disp. Inc.: \$ 0

The Trustee: ☐ NOT OBJECTS ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: ____ %

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED ☐ HELD OPEN FOR ____ DAYS

§341 Meeting Rescheduled for:

Comments:

*TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6) The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(3)] Plan NOT proposed in good faith.

- Transaction were they sell part of the business and lease the same without authorization of the Court shows debtors' lack of good faith. Notwithstanding that the proposed plan contemplates 100% payment to general unsecured creditors, there is no real showing that they will be able to make such payment.

[1325(a)(6)] Feasibility - Debtor(s) does not has/have the capacity to make proposed plan payments.

*OTHER COMMENTS / OBJECTIONS

- Debtors entered into a lease agreement before requesting approval from the Court - Dkt 48. Debtor according to their motion received \$20,000 on May which used to pay debts of business and personal expenses. According to their testimony a payment of \$5,000 will be received at the end of August and another \$5,000 at the end of September. Need to provide evidence on what they used the funds received.

- Debtor plan payments, including the Lupsum payment are not supported by their testimony of documents provided.

/s/ Jose R. Carrion, Esq. Meeting Date: Aug 20, 2013

Trustee

/s/ Jose R. Carrion, Esq.

Presiding Officer